

UNITED STATES DISTRICT COURT

Southern District of New York

CANADIAN NATIONAL RAILWAY COMPANY,

Plaintiff,

SUMMONS IN A CIVIL CASE

V.

VANTIX LOGISTICS, a subsidiary of McLANE
COMPANY, INC., and PEPSI COLA CANADA
BEVERAGES,

CASE NUMBER:

07 CIV. 8226

Defendant

JUDGE KARAS

TO: PEPSI COLA CANADA BEVERAGES
c/o Al Gordon, Logistics Manager
100 Stevens Avenue
Valhalla, New York 10595

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY, Capehart & Scatchard, P.A., a Professional Corporation, 8000 Midlantic Drive, Suite 300, Mt. Laurel, NJ 08054, an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SEP 20 2007

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

INDEX #: 07 civ 8226

Date Filed: September 20, 2007

Court Date:

UNITED STATES DISTRICT COURT
COUNTY OF NEW YORK

DISTRICT:

Attorneys: QVXLLC PH: 609-953-8100

Address: 20 COATES STREET MEDFORD NJ 08055 File No.:

CANADIAN NATIONAL RAILWAY COMPANY

vs

Plaintiff(s)/Petitioner(s)

VANTIX LOGISTICS, ET ANO

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS:

AFFIDAVIT OF SERVICE

Robert Crandall, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State On December 10, 2007 at 12:32PM, at C/O AL GORDON, LOGISTICS MGR, 700 ANDERSON HILL RD, PURCHASE, NY, deponent served the within Summons and Complaint

on: PEPSI COLA CANADA BEVERAGES, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to CATHY HENRY personally, deponent knew the person so served to be the AGENT AUTHORIZED of the corporation, and authorized to accept service on behalf of the corporation

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to a person of suitable age and discretion Said premises is recipient's: ☐ actual place of business ☐ dwelling house (usual place of abode) within the state

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: ☐ actual place of business ☐ dwelling house (place of abode) within the state

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat

on the day of at

on the day of at

on the day of at

Address confirmed by

#5 MAIL COPY ☐ On, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked 'Personal and Confidential' in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail #

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

(use with #1 2 or 3) Sex: Female Color of skin: White Color of hair: Blonde Age: 40 - 50 Yrs Height: 5' 4" - 5' 8" Weight: 161 - 200 Lbs Other Features:

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900 2 (e), (f) & (h) was set forth on the fact of said summons (es)

#10 OTHER ☐

Sworn to before me on January 2, 2008

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct 15 2010

Robert Crandall
Server's Lic # 0955171
Invoice/Work Order # 07032353

QVXLLC